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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul C. Wacker et al. Confirmation No.: 3629
Serial No.: 10/643,386 Examiner: Marc E. Norman
Filing Date: August 18, 2003 Group Art: 3744
For: PDA CONFIGURATION OF THERMOSTATS
Docket No.: H0005399US (1161.1124101)

AMENDMENT

Mail Stop Amendment
Assistant Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE UNDER 37 C.F.R. 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this 23rd day of July, 2004.

By:

John G. Shudy, Jr.
John G. Shudy, Jr.

Dear Sir:

This Amendment is being filed in response to the Official Action of the Examiner mailed April 23, 2004, setting a three-month shortened statutory period for response ending July 23, 2004. Please amend the above-captioned application as follows:

Amendments to the Claims begin on page 2 of this paper.
Remarks/Arguments begin on page 9 of this paper.



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

Application Number	10/643,386
Filing Date	August 18, 2003
First Named Inventor	Paul C. Wacker
Art Unit	3744
Examiner Name	Marc E. Norman
Attorney Docket Number	H0005399US(1161.1124101)

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	John G. Shudy, Jr., Reg. No. 38,638
Signature	<i>John G. Shudy, Jr.</i>
Date	July 23, 2004

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Typed or printed name	John G. Shudy, Jr.		
Signature	<i>John G. Shudy, Jr.</i>	Date	July 23, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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